

## **REMARKS**

### **Administrative Overview**

Claims 1–18 were presented for Examination. In the present Amendment, the Applicants amend claims 1 and 10. Support for the amendments can be found at least on pages 27 and 29 of the specification. In the present Amendment, the Applicants also amend claims 6, 8, 9, 12, 15, and 17 to correct minor typographical errors that would be recognized as such by one of ordinary skill in the art. The Applicants submit that no new matter has been introduced by way of the amendments. Upon entry of the present Amendment, claims 1–18 are presented for reconsideration.

### **Double Patenting**

The Office Action indicates that claims 1–18 conflict with the claims of U.S. Patent Application 09/550,230. An Office Action also currently pends in that application, rejecting all claims. Stratus Technologies Bermuda, Ltd., the assignee of both applications, hereby expresses its intent to allow U.S. Patent Application 09/550,230 to go abandoned, thereby obviating the potential conflict with the present application.

### **Rejection of Claims Over Prior Art**

In the Office Action mailed on October 30, 2003, claims 1–6, 8, and 10 are rejected under 35 U.S.C. 102(e) as being unpatentable over U.S. Patent No. 6,212,633 to Levy et al. (“*Levy*”), and claims 7, 9, and 11–18 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Levy* in light of U.S. Patent No. 5,889,958 to Willens (“*Willens*”). With regard to the rejections based

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upon the cited references, the Applicants amend claims 1 and 10, traverse the rejections, and respectfully request reconsideration of the claims in light of the arguments below.

Levy Fails to Teach Elements of the Independent Claims

Each element of claim 1 and claim 10 involves some interaction with a remote system. Amended independent claim 1 recites:

A method for dynamically extending a firewall, the method comprising the steps of:

- (a) establishing a connection with a remote system;
- (b) receiving an identifier from the remote system; and
- (c) extending the firewall by using the identifier to filter information received through the connection with the remote system.

Amended independent claim 10 recites:

A method for dynamically extending a firewall, the method comprising the steps of:

- (a) receiving a connection from a remote system;
- (b) receiving an identifier from the remote system; and
- (c) extending the firewall by using the identifier to filter information received through the connection with the remote system.

*Levy* is directed to systems and circuits for providing a secure, distributed firewall over a memory-mapped serial communications interface. *Levy* describes the IEEE 1394 specification, commonly referred to as FIREWIRE, as one such interface. See Abstract. FIREWIRE communication takes place via a serial bus interface. (Col. 2, lns. 14–18). Such an “interface 10 includes [a] plurality of nodes (e.g., nodes 12, 14, 16, 18, 20, and 22) interconnected with one another in a daisy-chained fashion. Each node typically has one or more ports, each of which selectively couples to another port on another node in the interface.” (Col. 6, lns. 3–7). That is, the nodes are physically connected to each other. Thus, *Levy* does not describe interactions between remote systems.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” MPEP 2131.01 The Applicants respectfully submit that independent claims 1 and 10 are allowable over *Levy* at least because *Levy* does not describe interaction with a remote system, and therefore does not describe the elements of independent claims 1 or 10. Since claims 2–9 include all of the limitations of independent claim 1 on which they depend, the Applicants further submit that claims 2–6 and 8 are also allowable over *Levy*.

Willens Does Not Cure the Deficiencies of Levy

Claims 7, 9, and 11–18 stand rejected over *Levy* further in view of *Willens*. These claims depend from independent claims 1 and 10. As discussed above, *Levy* fails to describe all of the elements of these claims. *Willens* fails to describe the elements that *Levy* lacks. In relevant part, amended claims 1 and 10 each recite “(b) receiving an identifier from the remote system; and (c) extending the firewall by using the identifier to filter information received through the connection with the remote system.”

*Willens* describes an Internet content filtering system. See Abstract. In particular, *Willens* describes an “Internet access system 10 which incorporates an access control 10 subsystem 12.” Col. 3, lns. 52–55. The access control subsystem 12 filters a user’s requests for access to information based on a filter associated with the user. Col. 5, ln. 58–col. 6, ln. 9. The filters are used only to monitor outgoing requests for content access and do not monitor the content or source of incoming communications.

*Willens* states that a user's profile 46, which contains an identification of the user's associated filter, is resident on the access control subsystem 12. Col. 5, ln. 8–12. In addition, “[i]n practice, the client software 44 and permit-based filtering technology is integrated in the communications operating system software that runs on the server 14 or routers 24, 32 or 34.” Col. 5, lns. 33-36.

Thus, the user 22, in *Willens*, does not receive the filter identification from the access control subsystem 12; nor does the access control subsystem 12 receive the filter identification from the user 22. Therefore, *Willens* does not teach or describe “receiving an identifier from the remote system” (element (b)) or “extending the firewall by using the identifier to filter information received through the connection with the remote system” (element (c)).

As neither *Levy* nor *Willens* teaches or suggests elements (b) or (c) of independent claims 1 and 10, they could not possibly be combined to teach or suggest all elements of the claims 1 or 10. Since claims 7 and 9 and claims 11–18 include all of the limitations of independent claims 1 and 10, respectively, on which they depend, the Applicants respectfully submit that claims 7, 9, and 11-18 are also allowable over *Levy* in view of *Willens*.

In addition, in order to make a prima facie obviousness rejection, “there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings.” MPEP § 2143. *Levy* address the problem of a lack of secured communication capabilities between devices coupled to memory-mapped communications interfaces. Col. 2, ln. 51–col. 3, ln. 45. In contrast, *Willens* relates to techniques for Internet content control. Col. 1, ln. 14–col. 3 ln. 48. The references relate to unrelated problems inherent in two distinct

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communications media. As there is no motivation or suggestion to combine the references, it would be inappropriate to reject the pending claims based on such a combination. Therefore, applicants submit that claims 7, 9, and 11–18 are patentable over *Levy* further in view of *Willens*.

## CONCLUSION

The Applicants respectfully request reconsideration of the pending claims in view of the forgoing Amendment and Response. The Applicants submit that all of the pending claims are in condition for allowance. Accordingly, Applicants respectfully request withdrawal of all grounds for rejection and allowance of all of the pending claims in due course.

If the Examiner believes that a telephone conversation with the Applicants' attorney would be helpful in expediting the allowance of this application, the Examiner is invited to call the undersigned at the number identified below.

A petition and fee for a two-month Extension of Time for Response is submitted herewith. Applicants believe that no additional fees are necessitated by the present Amendment. However, in the event that any additional fees are due, the Commissioner is hereby authorized to charge any such fees to Attorney's Deposit Account No. 20-0531.

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Respectfully submitted,



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